



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LAYZELL, D.B., et al.
Serial Number: 10/040,469
Filing Date: January 9, 2002
Title: Methods for Enhancing Plant Growth Using Hydrogen Gas
Allowed: September 8, 2004
Confirmation No.: 2590
Art Unit: 3643
Examiner: Gellner, J.L.
Agent Ref. No. 1998-016-08US

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir,

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The above-captioned patent application was allowed on September 8, 2004. In the Detailed Action accompanying the Notice of Allowability, the Examiner stated that the phrase "for a duration sufficient to increase H₂ uptake of the soil", which is recited in allowed claims 1 and 19, was considered to mean at least one week. Applicants respectfully disagree with this statement, as a duration of one week is merely an example given in the description. It is clear from reading the specification that duration of H₂ treatment of soil may vary, so long as the duration results in an increase in H₂ uptake of the soil.

The Issue Fee Transmittal is being forwarded simultaneously herewith. Please deduct any additional fee(s) which may be required from our deposit account No. 17-0110.

Respectfully submitted,

Stephen J. Scribner

Reg. No. 44,452

Date: 6 Dec 2004

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